

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

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SAN MIGUEL HOSPITAL CORPORATION,  
d/b/a ALTA VISTA REGIONAL HOSPITAL,  
*on behalf of itself and all others similarly situated,*

Plaintiffs,

v.

No. 1:23-cv-00903 KWR/JFR

PUBLIX SUPERMARKET, INC., HENRY SCHEIN, INC.,  
WALGREEN CO., WALGREEN EASTERN CO., INC.,  
CVS PHARMACY, INC., CVS Rx Services, Inc.,  
CVS ORLANDO FL DISTRIBUTION, LLC,  
WALMART, INC., *f/k/a Wal-Mart Stores, Inc.*,  
ALBERTSONS COMPANIES, INC., ALBERTSONS, LLC,  
SAFEWAY, INC., GIANT EAGLE, INC.,  
HBC SERVICES COMPANY, KROGER LIMITED  
PARTNERSHIP I, KROGER LIMITED PARTNERSHIP II,  
THE KROGER CO., HIKMA PHARMACEUTICALS, INC.,  
INDIVIOR, INC., ET AL.,

Defendants.

**JUDGMENT**

Consistent with the orders, opinions, and partial judgments entered in this case, the Court enters its Rule 58 judgment disposing of all claims in this case. The Court entered several orders or partial judgments disposing of claims against multiple Defendants. The Court entered four partial judgments dismissing the claims against certain Settling Defendants. Those dismissals are subject to the terms set forth in the partial judgments and are not changed by this judgment. *See* Docs. 319-322. The Court also entered a Memorandum Opinion and Order dismissing claims against certain non-settling Defendants either (1) with prejudice for failure to state a claim under Rule 12(b)(6) or failure to comply with Rule 8 or (2) without prejudice for lack of personal

jurisdiction. The exact disposition of those claims are set forth in the Court's Memorandum Opinion and Order. *See* Doc. 323. Finally, Plaintiff voluntarily dismissed claims against other defendants with or without prejudice. *See, e.g.* Doc. 181 (voluntary dismissal without prejudice as to Defendant McKinsey & Company *et al.*); Doc. 237 (stipulated dismissal without prejudice of Kroger Limited Partnership I and II). Therefore, it appears that all defendants have been dismissed from this case, and a Rule 58 judgment is appropriate.

**IT IS THEREFORE ORDERED AND ADJUDGED** that all claims in this case are dismissed, with or without prejudice.<sup>1</sup> The Clerk of Court is directed to close this case.

/S/ KEA W. RIGGS  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The precise disposition – with or without prejudice – of the claims as to each defendant is set forth in each order or partial judgment entered in this case, which the Court incorporates herein.